

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1692 – SB 1978

March 30, 2010

SUMMARY OF AMENDMENTS (015409, 015754): Deletes all language of the original bill. Establishes a procedure through the Secretary of State by which Native American Indian groups may apply for Nation, Tribe or Community recognition by the state of Tennessee. The Department shall develop policies and procedures which shall include the payment of non-refundable application fees. The Department of State shall develop an Applicant for Recognition form available on-line or by written request. The Department shall appoint a review committee to review applications and documentation for completeness and to assist applicants achieve completeness. Applications pending with the Indian Affairs Commission may be transferred to the Department and information updated as required. Such applications shall be approved or denied within 12 months of the completed application. The roll of all approved applicants shall be maintained current and posted on the Department's Web site. Applicants who disagree with a denial may seek a contested case hearing before the Department.

FISCAL IMPACT OF ORIGINAL BILL:

MINIMAL

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Increase State Revenue – \$4,000/FY10-11

Not Significant/FY11-12 and Subsequent Years

Increase State Expenditures - \$4,000/FY10-11

Not Significant/FY11-12 and Subsequent Years

Assumptions applied to amendments:

- There are an estimated eight applications pending with the Indian Affairs Commission.
- According to the Department of State, an estimated eight applicants will apply for state recognition and pay a \$500 non-refundable application fee per applicant. The increase in state revenue from the collection of fees is estimated to be \$4,000 the first year.
- The Department of State indicates that a three-person review committee will be appointed which will meet in Nashville for seven days to review applications and supporting documentation and will cost approximately \$150 per day per member for a total of \$3,150 (3 members x \$150 x 7 days).

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- According to the Department of State, there would be an additional cost of approximately \$850 for printing, postage, and related operational expenses of the review committee.
- The number of Native American Indian groups that would seek Nation, Tribe or Community recognition, be denied, and seek a contested case hearing before the Department cannot be determined but is estimated to be small.
- The number of future applicants who would seek state recognition cannot be determined at this time, but is estimated to be few, if any.
- Any increase in state revenue and expenditures in future years is estimated to be not significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

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